

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

UNITED STATES OF AMERICA

v.

DAVID McDANIEL

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No. 1:04-CR-156
Judge Curtis L. Collier

ORDER

For the reasons set forth in the accompanying memorandum, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Court File No. 54) pursuant to 28 U.S.C. § 636(B)(1)(C), and hereby **ORDERS** the following:

- (1) The defendant is able to assist in his defense and is competent to understand the nature and consequences of the proceedings against him; and
- (2) The defendant is competent to stand trial.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE